THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 25268 OF 1997

Dated 24th January, 2007

Between:

Sri Lakshmi Rice Mills, represented by
its Proprietor, J.Rajgopal S/o Ayyappa Setty.

… Petitioner

And

The District Collector, Nellore and others.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioner questions the action of the respondents in taking steps for demolition of a portion of the rice mill and the shops constructed in Survey No. 326/2B, Nellore Bit-II, Mypad Road as arbitrary and illegal.

It is the case of the petitioner that it is the owner of an extent of Ac.5.00 of land covered by Survey No.326/2B, Nellore, Bit-II and the said lands were purchased by registered sale-deeds in the year 1960 vide document No.1914/60. It is stated that on a portion of the land towards road side rice mill and shops were constructed. But, however, without initiating any land acquisition proceedings and without issuing any prior notice, steps were being taken for demolition of a portion of the structures without any authority of law.

At the time of admission, this court granted interim orders not to demolish the structures and the said orders continued all along. Though the writ petition is of year 1997, no counter affidavit is filed on behalf of the respondents.

As it is stated that the petitioner is the owner of the land on which the rice mill and shops were constructed, I dispose of the writ petition directing the respondents not to deprive the petitioner of its private property otherwise than by due process of law. No costs.

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24.1.2007

R.SUBHASH REDDY, J.

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